



San Diego City Attorney **MICHAEL J. AGUIRRE**

NEWS RELEASE

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IN RESPONSE TO A FEDERAL COURT RULING, CITY ATTORNEY PROPOSES ORDINANCE THAT WILL ADOPT STRONGER CITY-WIDE WATER CONSERVATION MEASURES

*Federal Judge's Interim Order could reduce the amount of water imported from
Northern California by up to 30%.*

San Diego, CA—San Diego City Attorney Michael Aguirre is proposing an ordinance that will implement stronger city-wide water conservation measures in response to a December 14th Interim Remedial Order from a United States District Judge (in the case of *Natural Resources Defense Council v. Kempthorne*) that could reduce water imported from the Sacramento-San Joaquin Delta by as much as 30%.

The Delta is a source of water for 3 million San Diego County residents. About 90% of San Diego's water is imported from outside the region.

According to the State of California's Department of Water Resources (DWR) and the Metropolitan Water District, which is the primary water importer for Southern California, under the worst-case conditions, the Judge's order could reduce water imported from the Delta by 30%.

"The County Grand Jury has twice criticized the City for over-reliance on imported water, and now you see why," said City Attorney Aguirre. "We need to do everything we can to find new sources of water such as water reclamation and desalination, as well as to expand our water storage and conserve the water we already have."

The City Attorney's Office will be distributing the draft ordinance to the Mayor and City Council for their input and consideration. The proposed ordinance will revamp the City's emergency water regulations in the Municipal Code. The draft ordinance adds specific triggers for water conservation stages and corresponding voluntary and mandatory reductions in water use, all based on the severity of potential water shortages.

Federal Judge Oliver W. Wanger's order comes in response to a lawsuit filed on behalf of the Natural Resources Defense Council, which alleged that continued pumping of water from the Bay-Delta threatens the existence of a small indigenous fish, the Delta Smelt. According to the DWR, Judge Wanger's ruling will primarily affect export pumping during the months of January through June, when the Smelt is at

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greatest risk of being destroyed by the massive pump impellers in the Sacramento - San Joaquin Delta.

Judge Wanger ordered the federal government to redo and resubmit its 2005 Biological Opinion regarding the impact of state and federal water projects on the Delta Smelt by September 15, 2008.

Until that time (and possibly longer), the operation of massive pumps that sends water to Southern California is restricted to prevent harm to the Delta Smelt. The recent decline of the Delta Smelt coincided with huge increases in water exports from the Delta implemented to reduce California's reliance on the Colorado River.

To view the Federal Court order and the City Attorney's proposed ordinance, visit www.sandiegocityattorney.org, and click City of San Diego Water Crisis.

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